

February 2017

Land Grant Application- Foster, Benen (Portland)

Benen Foster

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IN TESTIMONY WHEREOF, I have hereunto subscribed my name the day and year last above mentioned
to be his free act and deed.

above named, and acknowledged the foregoing power of Attorney by him signed,
before the subscriber, a Justice of the Peace for said County, personally appeared
JOSEPH KENNEDY, Clerk of this

day of March 1837

Justice of the Peace

2148

Benjamin Foster
Portland

Rec^d March 24 1836

Rec^d May 9 1837

IN PRESENCE OF
SIGNED, SEALED AND DELIVERED

Refuted

No endorsement
for 3rd or 2nd Mar

and this
I hereby certify, and confirming by the
I personally present
L. A.
V. D. 1837

certificates for me in my name, to execute such receipt or acknowledgment therefor, as I might be
infringement of the rights of the deceased Officers and Soldiers, to the benefit of which Resolves
eight hundred and thirty-five, entitled Resolves in favor of certain Officers and Soldiers of the Revo-
lutionary War, and the Resolves of the year of our Lord one thousand
Resolves additional to a Resolve passed March seventeenth in the year of our Lord one thousand
as he may issue to me, in virtue of a Resolve of the said State, passed March 24 1836, entitled a
Attorney for me and in my name, to receive from the Land Agent of the State of Maine, such certificate
constitute and appoint
and State of Maine, being the same person by whom the preceding declaration was made, do hereby
Know all Men by these Presents, That I

I *Benen Foster* of *Portland* in the County of *Cumberland* and State of Maine, aged *seventy six* years, do, upon oath, declare in order to obtain the benefit of a Resolve of the Legislature of Maine, passed March 24, 1836, entitled a "Resolve additional to a Resolve, passed March 17th, in the year of our Lord one thousand eight hundred and thirty-five, entitled 'Resolve in favor of certain Officers and Soldiers of the Revolutionary War, and the Widows of the deceased Officers and Soldiers,' " that I enlisted *about the year 1777 in Col Allens Regt. for 3 yrs when I was about six months and was transferred to the Artillery Regt. commanded by Col Brown & served my time fully out*

I do further on oath declare that at the time of my said enlistment, I was an inhabitant of *Machias* in the District of *Maine*

and was on the 17th day of March, 1835, have been ever since, and am now an inhabitant of the State of Maine, residing in *Portland* aforesaid, where I have resided for *about four* years past. That neither I, nor any one claiming under me, has ever received a grant of Land, or money in lieu thereof, either from the Commonwealth of Massachusetts, or from the State of Maine for my said service, or any other service during the Revolutionary War, and that I am justly entitled to the benefit of said Resolve.

Oliver Frost

Warren Foster

STATE OF MAINE.

Subscribed ss.....Subscribed and sworn to this *ninth* day of *May* 183*7*
BEFORE ME,

Oliver Frost

Justice of the Peace.

Know all Men by these Presents, That I

Baner Foster of *Portland* in the County of *Cumberland* and State of Maine, being the same person by whom the preceding declaration was made, do hereby constitute and appoint *Chas Hook* of *Bangor* my true and lawful Attorney for me and in my name, to receive from the Land Agent of the State of Maine, such certificate as he may issue to me, in virtue of a Resolve of the said State, passed March 24, 1836, entitled a "Resolve additional to a Resolve passed March seventeenth in the year of our Lord one thousand eight hundred and thirty-five, entitled 'Resolve in favor of certain Officers and Soldiers of the Revolutionary War, and the Widows of the deceased Officers and Soldiers,'" to the benefit of which Resolve I am entitled. And my said Attorney is hereby authorized and empowered upon the receipt of said certificate, for me in my name, to execute such receipt or acknowledgment therefor, as I might, were I personally present.

HEREBY ratifying and confirming whatever my Attorney shall do by virtue hereof, Witness my hand and seal this *ninth* day of *May* A. D. 1837

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF

Baner Foster

STATE OF MAINE.

Penobscot ss.

Be it Known, that on this *ninth* day of *May* 1837, before the subscriber, a Justice of the Peace for said County, personally appeared *Baner Foster* above named, and acknowledged the foregoing power of Attorney by him signed, to be his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name the day and year last above mentioned.

Isaac S. Small Justice of the Peace.

1

State of Maine
County of Washington S.S.

On this fourth day of December A.D. 1832 personally appeared in open court, before the Hon John Dickinson Judge of the Court of Probate now sitting, Ben Foster a Resident of the Parish of Wakefield, County of York Province of New Brunswick aged seventy two years, who being first sworn according to law doth, on his oath, make the following declaration in order to obtain the benefit of the act of Congress passed June 7th 1832

That he entered the service of the United States under the following named Officers & served as herein stated -

That in the early part of the year 1775 he was a volunteer and assisted at the capture of the British Armed Sch^r. called the Margretta, commanded by Capt Moore, that soon after that engagement, he voluntarily entered as a private soldier in a Company of Massachusetts militia of which Sabin West was Captain and John Scott Lieutenant - in this Company he marched to the City of St John N.B. & there attacked the Fort and took it, made prisoners of war of the troops in it & sent them to the State Authorities, a Naval Force then entered the River St John and attacked us we resisted them and after a smart engagement compelled them to leave the River - we next met the Enemy at a place called the Mahogany Road and after a sharp engagement with them there, we were compelled to give away & retreat up the St John River - we again fell in with the Enemy about seventy five miles up the St John River
and

and again contended with them, and again we gave away and they drove us up the River, and into the woods and we had no way of escape but to travel across the wilderness to Machias, which we performed after eighteen days hard march without any provisions except what we could get by killing occasionally some wild game of the forest, and also suffering very much by night and by day from the inclemency of the weather, & in addition to all other misfortunes we had a wounded fellow soldier which we brot all the way with us slung in a blanket, and thereby saved his life - In this Company I served nine months.

I then served in Col^l John Allen's Regiment of Massachusetts Militia in a Company of Artillery commanded by Capt Stephen Smith, of which William Albee was Lieutenant, & when serving in this Company as a private soldier in the year 1776 he was in the engagement at Machias at the time the British attacked that place. In this Company he served for the term of two years or more, and that he had a regular written discharge which he kept for a long time, and that it is now lost - I was born in the town of Scarborough, County of Cumberland, State of Maine, in the year 1763 there is a Record of my birth in said town of Scarborough, and he has also a Record of the same at his home - at the time he entered the service he was living at Machias in the County of Washington & State of Maine - since the Revolutionary war, he has lived in the Province of New Brunswick, & that he expects him - after

after to live in the City of Portland, County of Cumberland & State of Maine, that he entered the service as a volunteer, the particular day or month he does not now recollect, and that he has no documentary evidence. James W. Crocker & Joseph Titchell, are persons to whom he is known, and who can testify as to his character, for veracity, and their belief of his services as a Soldier of the Revolution.

He hereby relinquishes every claim whatever to a pension or annuity except the present, and declares that his name is not on the Pension Roll of the Agency of any State.

Benen Foster

Sworn to and subscribed the day and year aforesaid

John Dickinson Judge

We James W. Crocker & Joseph Titchell residing in the town of Machias and County of Washington and State of Maine hereby certify that we are well acquainted with Benen Foster who has subscribed and sworn to the above declaration; that we believe him to be seventy two years of age; that he is reputed and believed in the neighborhood where he resides, to have been a soldier of the Revolution, and that we concur in that opinion having personal knowledge of his said services as he has stated.

James W. Crocker

Joseph Titchell
Mark

Sworn to & subscribed the day & year aforesaid
John Dickinson Judge

And the said Court do hereby declare their opinion after the investigation of the matter, and after putting the investigations proscribed by the War Department, that the abovementioned applicant was a Revolutionary Soldier & served as he states - and the Court further certifies that it appears to them that James W. Grosvenor & Joseph Gitchell, who has signed the preceding certificate are credible witnesses & that their statement is entitled to credit.

John Dickinson, Judge.

State of Maine

Washington S.S.

I Aaron S. Raymond Register of the Court of Probate for and within the County of Washington do hereby certify that the foregoing contains the original proceedings of the said Court in the matter of the application of Bennet Foster for a pension.

In testimony whereof I have hereunto set my hand and seal Official this fourth day of December A.D. 1832.

Aaron S. Raymond
Reg. Probate

I do hereby certify that the foregoing pages numbered from one to four are truly copied from the originals on file in the Pension Office War Department.

Henry S. Addison

and I further certify that the name of Bennet Foster appears on the Muster Rolls of Capt David Allen's Company Col John Graves Regiment for the Months of Sept^r, Oct^r, Nov^r & December 1777, as a Matross of artillery, but no remark as to the period of his enlistment or discharge.

Henry S. Addison

I certify that Henry S. Addison who is employed by the Land Agent of the State of Maine under a Resolution of the Legislature of that State passed on the 17th of March 1835 to obtain from the Pension Office certain documents & Records, has made as full an examination in the case of Bennet Foster as the Books and Papers of said Office will afford according to the best of my judgement & belief dated at the Pension Office War Department the day of August 1837.

Geo. W. Crump
actg Comm^r of Pensions